

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

|  |   |                                |
|--|---|--------------------------------|
| MATTHEW MCAFEE, on behalf of               | ) |                                |
| himself and all others similarly situated, | ) | Case No. 1:24-cv-01168-JPH-MJD |
|  | ) |                                |
| Plaintiff,                                 | ) | Removed from:                  |
|  | ) | Hamilton County Superior 3     |
| DRAFTKINGS, INC.                           | ) | Cause No. 29D03-2406-CT-006326 |
|  | ) |                                |
| Defendant.                                 | ) |                                |
|  | ) |                                |

**SUPPLEMENTAL JOINT REPORT ON THE STATUS OF DISCOVERY**

**1. A detailed description of all discovery completed within the preceding 28 days.**

No discovery has taken place in the preceding 28 days.

**2. A detailed description of all discovery presently scheduled or pending, including the due dates for any pending discovery requests and the scheduled dates for any depositions, and the identity of the counsel responsible for completing such discovery.**

No discovery is presently scheduled or pending.

**3. A detailed description of any discovery disputes presently pending, including the status of the resolution of the dispute and the identity of the counsel responsible for resolving the dispute.**

There are no discovery disputes presently pending.

**4. A detailed description of all discovery that is planned to be completed within the 28-day period following the report, including the identity of the counsel responsible for completing such discovery.**

DraftKings has completed fact discovery in this matter.

None for Plaintiff.

**5. A description of all known discovery remaining to be completed in this matter, including a proposed timetable for the completion of such discovery and the identity of the counsel responsible for completing such discovery.**

DraftKings has completed fact discovery in this matter.

Plaintiff has none planned at this time.

The parties propose to complete discovery in accordance with the schedule set forth in the Order Amending Case Management Plan (ECF No. 98).

Counsel responsible for the aforementioned discovery is counsel of record.

**6. Any other discovery issues any party believes should be brought to the attention of the Court so as to avoid any further delays in the completion of discovery in this matter.**

At this time, there are no pressing issues to bring to the attention of the Court.

Dated: December 29, 2025

/s/ Philip R. Zimmerly

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